

February 15, 1991

The Honorable Russell Blair
Senator, Sixteenth District
The Fifteenth Legislature
State of Hawaii
State Capitol, Room 215
Honolulu, Hawaii 96813

Dear Senator Blair:

Re:Public Access to Massage Therapist License Applications

This is in response to your letter, dated July 20, 1990, requesting an advisory opinion concerning whether the State Department of Commerce and Consumer Affairs ("DCCA") must publicly disclose a massage therapist license application either before or after a massage therapist license ("license") is granted to the license applicant.

ISSUES PRESENTED

I. Whether, under the Uniform Information Practices Act (Modified), chapter 92F, Hawaii Revised Statutes ("UIPA"), the DCCA must make available for public inspection and copying a massage therapist license application before a license has been granted to the applicant.

II. Whether, under the UIPA, the DCCA must make available for public inspection and copying the license application of an individual who has been granted a massage therapist license.

BRIEF ANSWER

I. When the DCCA has not yet issued or has denied issuance of a license to an applicant, the license application is confidential under the UIPA exception for government records which, if disclosed, would constitute a clearly unwarranted

invasion of personal privacy. See Haw. Rev. Stat. . 92F-13(1) (Supp. 1990). The UIPA expressly recognizes that an individual has a significant privacy interest in "[i]nformation compiled as part of an inquiry into an individual's fitness to be granted or to retain a license." Haw. Rev. Stat. . 92F-14(b)(7) (Supp. 1990). There is no countervailing public interest in the disclosure of a pending or denied license application, since it reveals nothing about those individuals that the DCCA has licensed.

II. Where the DCCA has issued a license to an applicant, the DCCA must make available for public inspection and duplication the public information that is contained in the Application after segregating and deleting the confidential information therein. Alternatively, rather than segregate information, if doing so is unreasonable, the DCCA may choose to provide a summary of the public information requested which is contained in the Application.

Information contained in a license application about a licensee that is already made public by law in other records, including a licensee's name, business address, type of license held, and the status of the license, is publicly disclosable. Similarly, a licensee's response to the question regarding previous licensure in Hawaii is also disclosable to the public, since this information is already made public in other records. The licensee's "public record address" and other names used are also publicly disclosable.

A licensee's response on the license application to the question regarding disciplinary action previously imposed upon the licensee should be disclosed to the public because an individual does not have a significant privacy interest in this data according to the UIPA and there is more than a scintilla of public interest in the disclosure of this information. See Haw. Rev. Stat. . 92F-14(b)(7)(A) (Supp. 1990). Further, the licensee's response about pending disciplinary actions against the licensee is also disclosable to the public since the public interest in disclosure also outweighs the licensee's privacy interest in this information. Accordingly, the DCCA already makes similar information about a pending action public in the petition for disciplinary action. Information about an ongoing investigation must be kept confidential to avoid a clearly unwarranted invasion of the individual's significant privacy interest in this information. The licensee's answer about previous convictions must be disclosed.

According to section 92F-14(b)(7), Hawaii Revised Statutes, a licensee has a significant privacy interest in information in the Application concerning the licensee's education and training required by law as a condition for licensure. However, with regard to the disclosure of the names of those institutions where the licensee completed the education and training required for licensure, we find that a substantial public interest in this disclosure outweighs the licensee's privacy interest. Therefore, the DCCA must disclose these names as well as any information about a licensee's apprenticeship training already made public in other DCCA records. However, specific details about a licensee's education and training should not be disclosed.

Lastly, we believe that public disclosure of a licensee's home address, mailing address, day telephone number (if it is a residential telephone number), social security number, and photograph would constitute a clearly unwarranted invasion of personal privacy. Therefore, this information must be kept confidential in accordance with section 92F-13(1), Hawaii Revised Statutes.

FACTS

To apply for a massage therapist license, an individual must submit to the DCCA a completed Application for Exam & License ("Application") which contains the following information about the applicant:

1. Name
2. Home address
3. Mailing address (if different from home address)
4. Social security number
5. Telephone number during the daytime
6. Other names used
7. Public record address
8. Date of exam for which the applicant is applying
9. A photograph of the applicant's face and shoulders

A copy of the DCCA's Application form is attached hereto as Exhibit "A."

The applicant must also mark an affirmative or negative answer to the following questions:

- 1) Whether the applicant has completed at least a) 100 hours of studies; and b) at least 420 hours of practical training within a 6 to 12-month period under the supervision of a sponsoring massage therapist, as prescribed by the Board of Massage's rules.
- 2) Whether the applicant has ever held a massage license in Hawaii. If an affirmative answer is marked, the applicant must provide the number, issuance date, and type of the previous license.
- 3a) Whether the applicant previously had any license revoked, suspended, or otherwise subject to disciplinary action. If an affirmative answer is marked, the applicant must specify the jurisdiction where the action took place, the penalty imposed, and the reasons for such action.
- 3b) Whether the applicant is presently being investigated or is subject to any pending disciplinary action. If an affirmative answer is marked, the applicant must specify the jurisdiction where the action is pending and the reasons for the pending action.
- 4) Whether the applicant has previously been convicted of a crime in which a jail sentence was imposed and not annulled or expunged by order of the court. If an affirmative answer is given, the applicant must provide an explanation.

The Application also includes an affidavit from the applicant certifying that the information submitted by the applicant is true and correct. After receiving the Application, the DCCA marks on it whether the license application is approved or ineligible, the reviewing employee's initials, the date of this action, and if a license is granted, the effective date and license number.

As part of the Application, the applicant must also submit the following:

- 1) A copy of a certificate confirming that the applicant completed 100 hours of study from an institution licensed by a state department of education or recognized by the American Massage Therapist Association ("AMTA").

- 2) A copy of a certificate confirming that the applicant completed 6 months of apprentice training from an institution or person licensed by a state department of education or recognized by the AMTA.
- 3) A letter from a state department of education or the AMTA confirming that the institution at which the applicant completed 100 hours of study is licensed or recognized.
- 4) A letter from a state department of education or the AMTA confirming that the institution or person with which the applicant completed 6 months of training is licensed or recognized.

If the applicant previously registered with the DCCA as a massage apprentice, instead of submitting the four items listed above, the applicant must submit with the Application a Training Report form ("training report") completed and signed by the principal massage therapist and sponsoring massage therapist of the business where the applicant served as an apprentice. The training report sets forth the following information:

- 1) Name of apprentice
- 2) Apprentice permit number
- 3) Expiration date of apprentice permit
- 4) Date that apprenticeship training began
- 5) Date that apprenticeship training terminated
- 6) Total training time
- 7) Average hours of training per week
- 8) Average hours per week of supervised training
- 9) Description of the techniques taught
- 10) Hours spent on each technique taught
- 11) Total number of hours spent for all techniques taught
- 12) Name, license number, date of license expiration, and affidavit of the principal massage therapist
- 13) Name, license number, date of license expiration, and affidavit of the sponsoring massage therapist

An applicant who previously registered as a massage apprentice does not submit a copy of the certificate verifying the applicant's 100 hours of academic study with the Application since the applicant previously submitted this certificate as part of apprenticeship registration.

If the DCCA approves the Application, the applicant is sent a registration form to take the examination for licensure as a

massage therapist ("license exam"). After the applicant takes and passes the license exam and pays the license fees, the DCCA will grant a license to the applicant. Although the DCCA currently does not make available to the public an Application either before or after issuance of a license, it does disclose limited information about a licensed massage therapist, specifically, the licensee's name, business address, the type and status of the license issued, and the names of those institutions where the licensee completed the education and training required for licensure.

The DCCA does not disclose to the public information about an ongoing investigation of a licensee. However, if its investigation results in a petition for disciplinary action, the DCCA makes available to the public this petition and other records filed regarding the pending disciplinary action. After the hearing, the DCCA also discloses the disciplinary order, statement of facts, and conclusions of law.

You requested an advisory opinion from the Office of Information Practices ("OIP") regarding whether the UIPA requires the DCCA to disclose an Application either before or after a massage therapist license is granted to the applicant.

DISCUSSION

I. PUBLIC ACCESS TO A LICENSE APPLICATION BEFORE THE ISSUANCE OF A LICENSE

The UIPA sets forth the general rule that "[a]ll government records are open to public inspection unless access is restricted or closed by law." Haw. Rev. Stat. . 92F-11(a) (Supp. 1990). Section 92F-13, Hawaii Revised Statutes, sets forth exceptions to this general rule and in pertinent part, provides:

92F-13 Government records; exceptions to general rule. This chapter shall not require disclosure of:

- (1) Government records which, if disclosed, would constitute a clearly unwarranted invasion of personal privacy.

Haw. Rev. Stat. . 92F-13(1) (Supp. 1990).

With respect to this privacy exception, the UIPA states that "[d]isclosure of a government record shall not constitute a clearly unwarranted invasion of personal privacy if the public interest in disclosure outweighs the privacy interests of the individual." Haw. Rev. Stat. . 92F-14(a) (Supp. 1990). The UIPA also sets forth "examples of information in which the individual has a significant privacy interest," including:

(7) Information compiled as part of an inquiry into an individual's fitness to be granted or to retain a license, except:

- (A) The record of any proceeding resulting in the discipline of a licensee and the grounds for discipline;
- (B) Information on the current place of employment and required insurance coverages of licensees; and
- (C) The record of complaints including all dispositions.

Haw. Rev. Stat. . 92F-14(b) (7) (Supp. 1990) (emphasis added).

The DCCA determines an applicant's eligibility to take the license exam based upon the information provided by the applicant on the Application. Hence, we believe that the Application constitutes "[i]nformation compiled as part of an inquiry into an individual's fitness to be granted . . . a license." Haw. Rev. Stat. . 92F-14(b) (7) (Supp. 1990). Therefore, under the UIPA, an individual is expressly recognized to have a significant privacy interest in the information compiled in an Application, and this privacy interest must then be weighed against the public interest in disclosure.¹

¹In previous opinions, we noted that the concept of a "privacy interest" applies only to an "individual," defined by the UIPA as "a natural person." See, e.g., OIP Op. Ltr. No. 89-5 (Nov. 20, 1989) (state financial assistance program records). Although only individuals may apply for licensure as massage therapists, corporations and partnerships as well as individuals may apply for licensure by the DCCA as a massage establishment or out-call massage service. With regard to such license application when submitted by a corporation or partnership, the privacy exception would not be relevant except to information about specific individuals therein.

We have previously found that the public interest behind the UIPA is based upon the principle that the "conduct of public policy--the discussions, deliberations, decisions, and action of government agencies--shall be conducted as openly as possible."

Haw. Rev. Stat. . 92F-2 (Supp. 1990); see OIP Op. Ltr. No. 89-16 (Dec. 27, 1989) (discussion of the "public interest" to be considered in determining whether a disclosure would constitute a clearly unwarranted invasion of personal privacy). As further discussed below, this public interest would be furthered by disclosure of certain information about massage therapists that the DCCA has, in fact, licensed.

In contrast, when the DCCA has not yet issued a license, disclosure of the Application would not further the public interest behind the UIPA because it sheds no light upon the conduct of the DCCA or "what the government is up to." In the absence of a countervailing public interest, disclosure of an Application before the issuance of a license would constitute a clearly unwarranted invasion of personal privacy and is not permitted by the UIPA.

Where the DCCA decides not to issue a license to an applicant, we believe that the unsuccessful applicant's significant privacy interest in the Application outweighs the public interest in disclosure. Specifically, disclosure of information about unsuccessful applicants reveals little about those applicants whom the DCCA has licensed, whereas this disclosure may embarrass or harm the unsuccessful applicants. Cf. OIP Op. Ltr. No. 90-14 (March 30, 1990); OIP Op. Ltr. No. 89-2 (Oct. 27, 1989) (unsuccessful employment applicants).

II. PUBLIC ACCESS TO THE LICENSE APPLICATION OF AN INDIVIDUAL GRANTED A LICENSE

A. Name, Business Address, License Classification, Status, Number, and Effective Date

We previously concluded that the name, type or classification of license, license status, and license number of a licensed contractor are public information. See OIP Op. Ltr. No. 90-28 (Aug. 23, 1990). In OIP Op. Ltr. No. 90-28, we noted that the UIPA requires agencies to disclose "[r]osters of persons holding licenses or permits granted by an agency which may include name, business address, type of license held, and status of the license." Haw. Rev. Stat. . 92F-12(a)(13) (Supp. 1990).

We conclude that the license information listed above should also be made public with respect to an individual who applied for and was granted a massage therapist license by the DCCA ("licensee"). Like licensed contractors, licensees are required to have their licenses, which contain this information, "conspicuously displayed in the place of business or employment" and presumably available for public inspection. Haw. Rev. Stat. . 452-15 (1985); see OIP Op. Ltr. No. 90-28 (Aug. 23, 1990). Since this information is already made public on the license, we conclude that it is also public information when set forth in the Application. Also, we find that other names used by a licensee listed on the Application should be made public in addition to the licensee's currently used name.² See Haw. Rev. Stat. . 92F-12(a)(13) (Supp. 1990). Further, we believe that a licensee has no expectation of privacy in the "public record address" provided on the Application; therefore, this information, usually the licensee's business address, should also be disclosed by the DCCA. See id.

An Application also contains the licensee's response to question 2 regarding previous licensure in Hawaii, specifying, if any, the previous license type, number, and issuance date. Whether this information pertains to current or previous licensure, it is already made public in other records as discussed, and likewise it should be made public when set forth in the Application.

B. Previous Revocation or Suspension of a License, Ongoing Investigation or Pending Disciplinary Action, and Conviction Data

As stated earlier, the UIPA does recognize an individual's significant privacy in "[i]nformation compiled as part of an inquiry into an individual's fitness to be granted or to retain a license." Haw. Rev. Stat. . 92F-14(b)(7) (Supp. 1990). Yet, the UIPA also identifies information that is outside the scope of this significant privacy interest, including:

²A future OIP advisory opinion will address the public disclosure of name change records.

(A) The record of any proceeding resulting in the
discipline of a licensee and the grounds for
discipline;

Haw. Rev. Stat. . 92F-14(b) (7) (A) (Supp. 1990).

We previously concluded that a disciplinary order, findings of facts, and conclusions of law maintained by the DCCA are examples of the government records set forth in section 92F-14(b) (7) (A), Hawaii Revised Statutes. See OIP Op. Ltr. No. 90-28 (Aug. 23, 1990) (records of proceedings in which contractors' licenses are revoked). In OIP Op. Ltr. No. 90-28, we further opined that there is more than a scintilla of public interest in these records because they shed light upon the government's regulation of licensed persons. See id. Since disclosure will not constitute a clearly unwarranted invasion of privacy, the DCCA is correct in its policy of disclosing to the public the disciplinary order, findings of fact, and conclusions of law regarding discipline of an individual licensed by the DCCA. Among other things, these public records reveal the disciplinary action imposed and the grounds for the disciplinary action taken against a licensee.

A licensee's response to question 3a in the Application also sets forth information about previous disciplinary actions imposed upon a licensee, if any, and the grounds for such actions. We believe that this information, when provided in response to question 3a in the Application, likewise constitutes a "record of any proceedings resulting in the discipline" of the licensee and "the grounds for discipline;" therefore, the individual does not have a significant privacy interest in this information under the UIPA. Haw. Rev. Stat. . 92F-14(b) (7) (A) (Supp. 1990). Accordingly, information in the Application about the penalty imposed, the grounds for discipline, and the jurisdiction where it was imposed should be made public, especially since this type of information is similarly made public in the disciplinary order, findings of fact, and conclusions of law.

By making its petitions for disciplinary action public, the DCCA publicly identifies disciplinary actions that are pending against persons licensed by the DCCA. This information would not qualify as a "record of any proceedings resulting in the discipline of a licensee" in which an individual has no privacy interest as previously described. Haw. Rev. Stat. . 92F-14(b) (7) (A) (Supp. 1990) (emphasis added). Yet, we

believe that disclosure of the information contained in a petition for disciplinary action and other filed records about a pending disciplinary action will not constitute a clearly unwarranted invasion of privacy. Specifically, an individual may have a significant privacy interest in this information under section 92F-14(b)(7), Hawaii Revised Statutes, but disclosure of this information substantially serves the public interest in the DCCA's regulation of licensed persons. Since no UIPA exception to public access applies, information about the status, jurisdiction, and reasons for a pending disciplinary action contained in an Application should also be made available to the public, as it is similarly disclosed in another public record, a petition for disciplinary action.

Although the response to questions 3a and 3b of the Application may describe previous or pending disciplinary actions in jurisdictions other than Hawaii, we find no logical reason to reach a different outcome because of this fact. Therefore, information about previous or pending disciplinary actions in other jurisdictions is public information to the same extent as information about disciplinary actions in this State.

In contrast, the DCCA does not publicly disclose information about an ongoing investigation of a licensee. According to the UIPA, an individual has a significant privacy interest in information compiled in an ongoing investigation or "inquiry into an individual's fitness to . . . retain a license." Haw. Rev. Stat. . 92F-14(b)(7) (Supp. 1990). Although the public may have some interest in the DCCA's conduct of an ongoing investigation, we believe that this public interest does not outweigh the individual's significant privacy interest in this information. In our opinion, this public interest is furthered instead by identifying those cases in which a petition for disciplinary action has actually been filed as a result of the investigation. Consequently, if an affirmative answer to question 3b pertains to an ongoing investigation, the information provided regarding this matter must be kept confidential.³

³This opinion does not address public access to complaints filed with the DCCA against a licensee. A future OIP advisory opinion letter will address this issue.

With respect to information provided in response to question 4 of the Application regarding any previous conviction in which a jail sentence was imposed, the OIP previously concluded that certain gubernatorial pardon information, including conviction data, is publicly available under the UIPA. See OIP Op. Ltr. No. 89-7 (Nov. 20, 1989). In Opinion Letter No. 89-7, we noted that unlike most criminal history record information, "conviction data" is not subject to statutory restrictions upon its dissemination by the Hawaii Criminal Justice Data Center. See Haw. Rev. Stat. . 846-9 (1985). Applying the analysis set forth in OIP Op. Ltr. No. 89-7, we conclude that disclosure of conviction data provided on the Application will not constitute a clearly unwarranted invasion of privacy, and this information is, therefore, publicly disclosable.

C. Education and Training

We find that information about a licensee's education and training that is submitted with an Application constitutes "[i]nformation compiled as part of an inquiry into an individual's fitness to be granted or to retain a license." Haw. Rev. Stat. . 92F-14 (b)(7) (Supp. 1990). As previously discussed, the UIPA recognizes a significant privacy interest in such information. See id.

However, there is legal authority finding a substantial public interest in certain information concerning an individual's education and training required as a condition for professional or vocational licensure. See Op. Att'y. Gen. Mass. No. 32, Rep. A.G., Pub. Doc. No. 12, p. 157 (May 18, 1977). In this opinion, the Massachusetts Attorney General responded to an inquiry regarding public disclosure of personal information about licensed members of regulated trades and professions. Among other things, the opinion assessed the competing public and privacy interests in the members' educational and professional qualifications and concluded that this information was not exempt from public disclosure. Specifically, the opinion found that "[s]uch information is evidence of the skills required of licensees in the interests of public health and safety," while being "outside the scope of any reasonable or legitimate expectation of privacy which an individual might have." Id.

In our opinion, the disclosure of the names of the institutions where a licensee completed the education and

training required for licensure significantly serves the public interest in ensuring that the DCCA licenses massage therapists who, in fact, have fulfilled the education and training requirements imposed by law. We find that this significant public interest outweighs a licensee's privacy interest in this information. Since disclosure, therefore, will not constitute a clearly unwarranted invasion of privacy, the DCCA is correct in revealing to the public the names of those institutions where the licensee completed the education and training required for licensure.

Also, certain information regarding the licensee's apprenticeship training, including the licensee's apprentice permit number, date of expiration, and the names and license numbers of the sponsoring therapist and the principal therapist, is already made public in other DCCA records. Therefore, this same information provided in the Application should also be disclosed to the public.

On the other hand, we find that there is little public interest in the disclosure of details about a licensee's education and training, such as information about an applicant's specific curriculum and the hours spent on each topic. Therefore, such information, and other details about the licensee's education and training, must be kept confidential because disclosure would constitute a clearly unwarranted invasion of the licensee's significant personal privacy in this information.

D.Home Address, Mailing Address, Daytime Telephone Number,
Social Security Number, and Photograph

In OIP Op. Ltr. No. 90-10, we previously opined that a principal massage therapist's home address and home telephone number, when contained in a corporation's application, were confidential because disclosure would constitute a clearly unwarranted invasion of personal privacy. See OIP Op. Ltr. No. 90-10 (Feb. 26, 1990). In another opinion, we also reached the same conclusion regarding the confidentiality of an individual's mailing address. See OIP Op. Ltr. No. 90-29 (Oct. 5, 1990) (data about Board of Water Supply service holders). Applying the same analysis to the home and mailing address provided on an Application, we believe that the licensee has a significant privacy interest in this information, while its disclosure would say nothing about government conduct. Further, it is possible that the licensee's daytime telephone number may

constitute the licensee's home telephone number and, if so, should be kept confidential to avoid a clearly unwarranted invasion of privacy. See OIP Op. Ltr. No. 90-10 (Feb. 26, 1990).

We also previously opined that disclosure of the social security numbers of formerly licensed contractors would constitute a clearly unwarranted invasion of privacy. See OIP Op. Ltr. No. 90-28 (Aug. 23, 1990). Similarly, we conclude that a licensee's social security number in an Application is confidential because there is no public interest to counterbalance this individual's significant privacy interest.

In our opinion, disclosure of a licensee's photograph would also constitute a clearly unwarranted invasion of the licensee's personal privacy. See OIP Op. Ltr. No. 90-25 (July 12, 1990) (firearms registration information). In OIP Op. Ltr. No. 90-25, we opined that information on a firearms registration form regarding the registrant's physical characteristics, specifically, complexion, sex, height, weight, and hair and eye color, would qualify for protection from disclosure because of personal privacy. See id. An individual would have just as much, if not more, of a privacy interest in a photograph on the license application because it conveys an image of the individual's physical features. Just like written descriptions of an individual's features, a photograph, if disclosed, would not further the public interest in "what government is up to." See id. Therefore, to avoid a clearly unwarranted invasion of personal privacy, the DCCA should not disclose a licensee's photograph contained in an Application.

In summary, we find that an Application contains information that is disclosable to the public, except for certain personal details about the licensee that are confidential as discussed herein. Therefore, the DCCA is required to make available for public inspection and duplication those portions of the Application containing public information that are reasonably segregable. However, segregation may not be reasonable, depending upon the extent to which the public information is inextricably intermingled with confidential information, the volume of the requested information, and other circumstances involving the record. In this case, rather than attempt segregation of the record, the DCCA may choose, but is not required, to provide a summary of the particular public information requested from the Application in order to fulfill its duties under the UIPA. See Haw. Rev. Stat. . 92F-11(c) (Supp. 1990).

CONCLUSION

According to the UIPA, an individual has a significant privacy interest in "[i]nformation compiled as part of an inquiry into an individual's fitness to be granted or to retain a license." Haw. Rev. Stat. . 92F-14(b)(7) (Supp. 1990). Since a pending or denied Application reveals nothing about those individuals that the DCCA has licensed, there is no countervailing public interest in the Application at this time that would counterbalance this privacy interest. Therefore, when the DCCA has not yet issued or has denied licensure to an applicant, the Application is kept confidential under section 92F-13(1), Hawaii Revised Statutes.

Where the DCCA has issued a license to an applicant, the DCCA must make available for public inspection and duplication the public information contained in the Application by segregating this information from confidential information therein, or if segregation is not reasonable, the DCCA may choose to provide a summary of the public information requested from the Application.

Since a licensee's name, business address, type of license held, status of license, and information regarding previous licensure in Hawaii are already disclosed to the public in other records by law, this information is also public when contained in the Application. The licensee's public record address and other names used are also disclosable to the public.

The UIPA does not recognize a significant privacy interest in a record of disciplinary action imposed on a licensee, and there is more than a scintilla of public interest in such record to mandate that information regarding this matter be made public in an Application. See Haw. Rev. Stat. . 92F-14(b)(7)(A) (Supp. 1990). The public interest also outweighs a licensee's privacy interest in information about a pending disciplinary action made public by the DCCA in a petition for disciplinary action and other filed hearing records. Therefore, the licensee's answer providing similar information about pending disciplinary actions is also disclosable to the public. However, information about an ongoing investigation must be kept confidential in order to avoid a clearly unwarranted invasion of the individual's significant privacy interest in this information. On the other hand, the licensee's answer about previous convictions must be disclosed.

The Honorable Russell Blair
February 15, 1991
Page 16

According to section 92F-14(b)(7), Hawaii Revised Statutes, a licensee has a significant privacy interest in information concerning the licensee's fulfillment of education and training requirements for licensure. Yet, we believe that there is a strong countervailing public interest in the names of those institutions where the licensee completed the education and training required for licensure. After balancing the competing interests, we find that the UIPA requires public disclosure of this information, but not details about the licensee's education and training. Information disclosable to the public in the Application includes information about the licensee's apprenticeship training already made public in other records.

A licensee's home address, mailing address, daytime telephone number (if the licensee's residential telephone number), and social security number are confidential since disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. The licensee's photograph also cannot be disclosed under this same exception.

Very truly yours,

Lorna J. Loo
Staff Attorney

LJL:sc
Attachment

APPROVED:

Kathleen A. Callaghan
Director